

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRENNESE HOWARD,

Plaintiff,

Case No. 08-10253

v.

Honorable John Corbett O'Meara

MGM GRAND DETROIT L.L.C.;
INTERNATIONAL UNION, UAW; and UAW
LOCAL 7777,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Trennese Howard filed a seven-count complaint in this court alleging: claims under the Family and Medical Leave Act, 29 U.S.C. §§ 2601 *et seq.* in Count I; breach of contract in Counts II and III; violations of Michigan's Elliott-Larsen Civil Rights Act in Counts IV and VII; violation of the Civil Rights Act, 42 U.S.C. § 1981, in Count V; and breach of fair representation in Count VI. While claims alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present claims based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c). Accordingly, it is hereby **ORDERED** that Counts IV and VII are **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Dated: June 4, 2008

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, June 4, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager